

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

FILED

JUN 29 2018

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

THE PEP BOYS - MANNY, MOE & JACK
OF CALIFORNIA,

Petitioner,

v.

NATIONAL LABOR RELATIONS
BOARD,

Respondent.

No. 16-71036

NLRB No. 31-CA-104178
National Labor Relations Board

ORDER

Before: CANBY, WARDLAW, and RAWLINSON, Circuit Judges.

On April 20, 2016, this court issued an order staying proceedings in this petition pending the issuance of the United States Supreme Court's ("Supreme Court") decisions in *Epic Systems Corp. v. Lewis*, 16-285, *Ernst & Young v. Morris*, 16-300, and *NLRB v. Murphy Oil USA*, 16-307. On May 21, 2018, the Supreme Court issued its decision in the referenced cases. Accordingly, the stay order filed April 20, 2016, is lifted and this petition shall proceed.

The National Labor Relations Board's motion for The Pep Boys – Manny, Moe & Jack of California's petition for review to be summarily granted (Docket Entry No. 16) is granted. The petition is granted.

GRANTED.